

FW: DEA audit letter (government contact form)

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From:

"Gustin, Dave" <dave.gustin@mckesson.com>

To:

"Walker, Donald" <donald.walker@mckesson.com>

Date:

Tue, 15 Nov 2011 14:13:00 +0000

Attachments:

Govt contact form DEA letter 11-11-2011.doc (39.94 kB); Government Contact Form DEA audit.PDF (10.75 kB)

1. Failure to activate controlled substances cage and vault electronic alarm monitoring when employees were not present in violation of Title 21, Code of Federal Regulations, Sections 1301.71(a)(9), 1301.72(a)(3)(iv) and 1301.72(b)(4)(v), which states that controlled substance storage are shall be equipped with electronic alarms to detect unauthorized entry.
2. Failure to report suspicious controlled substance orders in violation of Title 21, Code of Federal Regulations, Section 1301.74(b), which states that the registrant shall inform DEA of suspicious orders.

I cannot say this is a surprise. They came into the audit before ever seeing anything with a strong feeling that we were not in compliance and seemed set out to prove it.

Jeff's statement, "With everything you are doing here if you are not in compliance at WCH then nobody is" speaks to a predisposition I believe.

Dave Gustin DRA North Central

937 840 8553

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**From:** Meunier, Kevin

**Sent:** Monday, November 14, 2011 6:15 PM

**To:** Tate, Kimbir; Trugman, Ina; #PGRDRC

**Cc:** Mooney, Scott; Essensa, Marc; Gustin, Dave

**Subject:** DEA audit letter (government contact form)

*Kevin Meunier*

*DC Manager*

*Washington Court House, OH*

*Office direct phone: 740-636-5127*

*Office cell: 573-382-4686*

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PLAINTIFFS TRIAL  
EXHIBIT

**P-42814\_00001**

## REPORT OF GOVERNMENT CONTACT

Distribution Center Name and Number: \_\_\_\_\_

TO: Don Walker, Regional Directors of Regulatory Affairs, E-mail: #PGRDRC  
Tracy Jonas, Dave Gustin, Bill de Gutierrez-Mahoney & Michael Oriente, Tom McDonald

CC: Gary Hilliard, Director of Regulatory Affairs (fax # 817-447-2812)  
DC Specific VPDO and VPGM

Ina Trugman, Law Department, 34<sup>th</sup> Floor, One Post Street, San Francisco, CA 94104

Litigation Support Group:  
Kimbir Tate (cc: Norman Lee; Janet Foo; Michael Gormley; Kathy Menchaca)

1. Time and date of contact by government representatives:  
11/11/2011

2. Name of government representative(s):  
Robert Corso

3. Name of government agency, division, and address at which representative(s) work(s):  
US Department of Justice Drug Enforcement Administration  
Columbus District Office  
500 S. Front Street, Suite 612  
Columbus ,Ohio 43215

4. Purpose of contact:  
Official Follow up letter of DEA investigation conducted April 12, 2011

5. If tax is involved, state the nature of the tax, e.g., sales or real estate:

6. Additional comments:  
The attached letter was delivered to WCH McKesson DC 8164 in regards to the DEA investigation conducted in April. The letter states we have 30 days to respond to the letter with a plan of action.

Date Signed 11/14/2011

Signature Kevin Meunier

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04/12/10

CONFIDENTIAL-SUBJECT TO PROTECTIVE ORDER

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P-42814 \_ 00002

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Date Signed

Signature

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CONFIDENTIAL-SUBJECT TO PROTECTIVE ORDER

MCKSTCT00549560

P-42814 \_ 00003



**U. S. Department of Justice**  
Drug Enforcement Administration  
Columbus District Office  
500 S. Front Street, Suite 612  
Columbus, Ohio 43215  
(614) 255-4200

[www.dea.gov](http://www.dea.gov)

**OCT 28 2011**

Kevin Meunier, Distribution Center Manager  
McKesson Drug Company  
3000 Kenskill Avenue  
Washington Courthouse, OH 43160

Dear Mr. Meunier:

From March 31 to April 12, 2011, the Drug Enforcement Administration (DEA), Columbus District Office, conducted an investigation of the McKesson Drug Company. On August 30, 2011, there was a management discussion between you and the investigators. As a result of this investigation, the following discrepancies were noted:

1. Failure to activate controlled substances cage and vault electronic alarm monitoring when employees were not present in violation of Title 21, Code of Federal Regulations, Sections 1301.71(a)(9), 1301.72(a)(3)(iv), and 1301.72(b)(4)(v), which states that controlled substance storage areas shall be equipped with electronic alarms to detect unauthorized entry.
2. Failure to report suspicious controlled substance orders in violation of Title 21, Code of Federal Regulations, Section 1301.74(b), which states that the registrant shall inform DEA of suspicious orders.

This letter is formal notification that failing to maintain adequate physical and electronic security and failing to report suspicious controlled substances orders constitute violations of the Code of Federal Regulations. At this time, you are being afforded the opportunity to comply with the regulations, which were outlined by the investigators with you on August 30, 2011.

Please advise this office, in writing, within 30 days of the action taken or planned to correct these violations. Please contact Diversion Investigator Stephanie Herman at (614) 255-4200 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert L. Corso".

Robert L. Corso  
Special Agent in Charge  
Detroit Field Division